[From the Wichita Eagle, Apr. 27, 2000]

NOT AGAIN—VICTIM'S RIGHTS DON'T MERIT CONSTITUTIONAL AMENDMENT

There's no question that victims of crimes too often feel victimized a second time by the justice system. Look at the parents of the students killed at Columbine High School: Their frustration with the Jefferson County sheriff's department over access to videotape and records has rightly provoked multiple lawsuits—and compounded their grief.

But the instances in which victims are wronged by authorities hardly justify the ultimate legal remedy in America—an amendment to the Constitution.

That's the conclusion that once again should be reached by both the U.S. Senate, which moved ahead this week with debate on the proposed Victims' Rights Amendment, and the House, which has a similar measure pending in committee.

Supporters such as Sen. Dianne Feinstein, D-Calif., argue that the Constitution currently guarantees 15 rights to criminal defendants yet extends none to victims. They want to equalize the importance of defendant and victim, guaranteeing the latter the right to be present at court hearings, speak at sentencing, have a say in plea agreements, see the cases resolved quickly and seek restitution.

But the proposed amendment is rife with problems:

It would step on existing statutory and constitutional safeguards in 32 states, including Kansas.

It could end up conflicting with or compromising defendants' rights.

It lacks even the support of some advocacy groups such as Victim Services, which is focusing its resources and energy elsewhere.

And, as Senate Minority Leader Tom Daschle, D–S.D., noted, it ''is longer than the entire Bill of Rights.''

Authorities obviously need to do a better job respecting and enforcing existing state victims'-rights laws and taking pains not to treat victims like afterthoughts. But there are good reasons why the 11,000 attempts to amend the Constitution over the defining document's 213-year history have succeeded only 27 times. The plight of crime victims is heartrending, but it should be dealt with by appropriate laws, not by this kind of intensive meddling with the Constitution.

[From the Winston-Salem Journal, Apr. 27, 2000]

VICTIMS' RIGHTS

The victims of violent crimes and their loved ones often have reason to feel that they have fewer rights under the justice system than does the criminal. Many victims say that they feel victimized all over again by the time the court proceedings are done. Clearly there is much that ought to be done to ensure that courts and related offices treat victims with respect, compassion and efficiency. But a victims' rights amendment to the U.S. Constitution, under discussion this week in the Senate, is the wrong way to make those improvements.

It's a bad idea to amend the Constitution for a problem that could be handled by less sweeping and less permanent legislation. The Constitution has remained strong for more than 200 years precisely because the Founders did not address the details of every issue that might arise. It is unwise to amend it to deal with problems that can be addressed through less drastic means.

Even more important, the drive for a victims' rights amendment is based on a misunderstanding of the role of the criminal-justice system. The courts are set up to protect the rule of law and the greater interests of society, not to exact personal vengeance. When a criminal is sentenced to imprisonment or some other punishment, he is paying his debt to society, not to the victim. He is being punished for violating the rule of law that we all agree to as citizens for our mutual protection.

Advocates of an amendment argue that the Constitution establishes many rights of the accused, but none for victims. But the Constitution is designed to provide the protection of laws and fair and efficient justice for all. Crime victims are suffering because a law has been broken, and the function of the courts is to punish the lawbreaker. The rights of the accused are spelled out because defendants are in danger of having rights taken from them as punishment. Though the victims of crimes deserve public sympathy and support, they do not deserve special treatment by the legal system.

The move for victims' rights has arisen out of frustrations when the court system, far from giving victims special treatment, seems to disregard them. Among the rights in the proposed amendment would be notification of proceedings, speedier proceedings and notification of release or escape of an offender.

Some of these rights exist but aren't honored because of overcrowded courts and lack of staff. Those are problems that Congress and state legislatures can address without an amendment. They can also pass laws to make things more smooth and comfortable for victims and to give victims a voice in such proceedings as parole hearings. Some laws providing restitution are appropriate.

A constitutional amendment is not needed to achieve any of these worthy goals. Senators should make it clear that they support the goals but don't want to pursue them in the wrong way.

[From the Washington Times, May 2, 2000]

CONSTITUTIONAL PANDORA'S BOX

(By Debra Saunders)

Just when you thought that Congress was a totally craven institution full of pandering pols who would sell out the Constitution for a friendly story on Page 3 of the local paper, the Senate up and takes a stand on principle. An unpopular stand even.

I refer to a proposed Crime Victims' Amendment to the Constitution. Last week, Senate sponsors Dianne Feinstein, California Democrat, and Jon Kyl, Arizona Republican, pulled a vote on the measure because they didn't have the two-thirds vote needed for passage. Finally, some good news.

Of course, I support crime victims' rights, and the stated goals of the measure. The amendment, among other things, would give victims the right to be notified of legal proceedings where they would have a right to be heard, to be notified if a perp is released or escapes, and to weigh in on plea bargains.

As Mrs. Feinstein explained in a statement, ''The U.S. Constitution guarantees 15 separate rights to criminal defendants, and each of these rights was established by amendment to the Constitution. But there is not one word written in the U.S. Constitution on behalf of crime victims.''

I, for one, value that omission. The Founding Fathers wrote the document when being a victim was not a badge of honor. If it were written today in the decade of the victim, the Constitution probably would read like a 12-step pamphlet.

More importantly, while the Constitution does not pay homage to victims' rights per se, the entire process of prosecution, of using the government to exact punishment for wrongdoing against individuals, recognizes the government's responsibility to protect citizens from lawless individuals.

Of course, there have been some victim horror stories that give the measure legitimacy. One need look no further than Littleton, Colo., where authorities have sold videotapes of the bloodstained high-school shooting crime scene for $25. This is a true outrage, but it is best remedied by parents suing the daylights out of these cruel civil servants.

'Tis better to sue than to revamp the U.S. Constitution. Law enforcement generally is a local matter. A constitutional amendment then would give federal judges another excuse to butt in and tell local lawmen and women what to do. No thanks.

I'll add that because a constitutional amendment has so much force, and is so difficult to change, there must be a compelling reason to pass it, and lawmakers should have a clear idea of its effects.

But it's not clear how judges would interpret it. The American Civil Liberties Union's Jennifer Helburn argues that some judges, for example, could interpret the right of victims to ''be present, and to submit a statement' at all public legal proceedings to mean indigent victims would have a right to publicly funded legal representation.

The ACLU also warns the provision could ''allow victims to be present throughout an entire trial, even if they are going to be witnesses.'' A Senate aide explained a judge would determine whether victims could be present before testifying or could testify first, and then attend the rest of the trial. So, the provision could make life harder for prosecutors. Not good.

Legal writer Stuart Taylor Jr. of the National Journal worries that mandating victim output—even if it is not mandatory that prosecutors obey it—could scuttle plea bargain arrangements that might be unpopular but result in a better outcome than letting murderers walk free.

Sen. Fred Thompson, Tennessee Republican, warned that the measure is ''very, very disruptive in ways that there is no way we can possibly determine. We are opening up a Pandora's box.''

Except, last week, the Senate didn't open up Pandora's box. And in not opening the box, it nonetheless released one precious item: hope.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, May 1, 2000, the Federal debt stood at $5,660,725,641,944.27 (Five trillion, six hundred sixty billion, seven hundred twenty-five million, six hundred forty-one thousand, nine hundred forty-four dollars and twenty-seven cents).

Five years ago, May 1, 1995, the Federal debt stood at $4,860,333,000,000 (Four trillion, eight hundred sixty billion, three hundred thirty-three million).

Ten years ago, May 1, 1990, the Federal debt stood at $3,082,585,000,000 (Three trillion, eight-two billion, five hundred eighty-five million).

Fifteen years ago, May 1, 1985, the Federal debt stood at $1,744,028,000,000 (One trillion, seven hundred forty-four billion, twenty-eight million).

Twenty-five years ago, May 1, 1975, the Federal debt stood at $516,680,000,000 (Five hundred sixteen billion, six hundred eighty million) which reflects a debt increase of more than $5 trillion—$5,144,275,641,994.27 (Five trillion, one hundred forty-four billion, two hundred seventy-five million, six hundred forty-one thousand,

nine hundred ninety-four dollars and twenty-seven cents) during the past 25 years.

ADDITIONAL STATEMENTS

TRIBUTE TO THE NAVY NURSES OF THE KOREAN WAR

● Mr. INOUYE. Mr. President, I am deeply honored to rise in tribute to over 3,000 courageous professional Navy Nurses of the Korean War, undaunted in the face of danger, who unselfishly answered the call of duty. They came from every corner of the nation. They came from all walks of life. They joined the Navy because they wanted to serve their country. They wanted to share their professional nursing skills and to care for those injured in body, mind and spirit.

The Navy nurses of the Korean War claim they did nothing special, they were just doing their job. But in the hearts of all who served with them, the doctors and the corpsmen, and their patients, Navy Nurses of the Korean War are true American heroes.

During the Korean War, whole blood could only be kept for eight days. Hospital ships were in Korean waters for weeks, months. Navy nurses gave their own blood for patient transfusions. Many aboard the hospital ship *Haven* were found to be anemic from giving so much of their blood for the injured.

Nurses worked around the clock during the mass casualties brought in from battles like Chosin Reservoir. Many times they worked 96 hours with just two hours of sleep in between swells of patients. Ever resilient and effervescent, Navy Nurses of the Korea War volunteered to assist orphanages in Inchon and Pusan caring for sick and wounded children. Severely injured children were brought back to hospital ships for surgery like having shrapnel removed from head wounds.

Nurses ventured into POW camps to ensure that children in these camps were treated and inoculated. Whether the nurses were stationed close to the fighting aboard hospital ships in Korean waters, at Naval Hospital Yokosuka, Japan, at other medical facilities in the Far East or on the home front, nurses were always there for their patients . . . their patients always came first.

Fifty years ago, Navy Nurses who served during the Korean War came home to quietly live their lives. For fifty years our nation has not known about this group of patriotic nurses who volunteered to serve our country. And they did it because they wanted to. They did it because they cared about our nation. They did it because they wanted to share their nursing skills. They did it because of their respect for life.

Let us not wait a day longer. Let us remember how these courageous, patriotic women answered the call of their country. And let us remember those Navy nurses who made it home in spirit only to live on in the hearts of family, friends and their fellow countrymen. Let us remember those Navy Nurses of the Korean War who are now in nursing homes and long-term care facilities. These nurses who once fought so valiantly to save the lives of their patients, now fight each day for their own survival.

Navy Nurses of the Korean War, you are forgotten no more. You shall remain in the hearts and spirits of all Americans. Let your story be told. Let your story be heard. Let your story be preserved in our history and remembered for decades to come. Your sacrifices and uncommon valor sparks the fire of patriotism, the foundation of our nation.

Navy Nurses of the Korean War, your unfaltering commitment of service to our country brings pride and honor to us. Mr. President, I ask my colleagues in the Senate to join me in remembering these quiet heroes—the Navy Nurses of the Korean War.

Navy Nurses of the Korean War . . . thank you from the bottom of our hearts. You are our heroes. You are forever remembered in the hearts and souls of your fellow countrymen. You are forever remembered in the history of our Nation.●

SALUTING ROGER DECAMP

● Mr. MURKOWSKI. Mr. President, I rise to salute the achievements of a man who has dedicated most of his life to improving the quality and safety of Alaskan and Pacific Northwest seafood, and whose efforts have made a positive and permanent impact on America's food industry.

Roger DeCamp is by no means a household name. Roger has never sought recognition or fame. Yet it is not too much to say that he has made a profound contribution to the welfare of America's seafood consumers.

In just a few short weeks, Roger DeCamp will retire as the Director of the National Food Processors Association Northwest Laboratory, in Seattle, Washington.

In 1960, Roger joined the Association as a microbiology and processing engineer. In 1964, he moved to Seattle to become the head of the microbiology and thermal processing division at the Northwest facility, and in 1971, he became the assistant director for the entire facility. He has been the director since 1981.

Unlike some who achieve senior positions, Roger has not ceased his work ''in the trenches.'' He has remained accessible to anyone who needed his assistance, and as one of the most knowledgeable individuals in the world about seafood quality control and safety, his advice has been widely sought.

One of the major achievements in Roger's career has been the modernization and direction of the Canned Salmon Control Plan, which assures the safety and integrity of the millions and millions of pounds of canned salmon produced annually in Alaska, and which is shipped worldwide. Canned salmon is one of the United States' most successful seafood exports. That success owes a great deal to the control plan, which gives buyers everywhere the confident knowledge that American canned salmon is a wholesome and beneficial protein source.

Under Roger's direction, the Canned Salmon Control Plan, with participation from industry, the Food and Drug Administration, and the National Food Processors Association, received the Vice-Presidential Hammer award for its unique approach to meeting the highly complex, technical, and sometimes conflicting requirements of the industry and the government agencies that regulate it.

Roger has continually worked to modernize the practices and procedures of the industry, and has represented it with distinction in the development of regulatory guidelines at both the state and federal levels.

He provided much of the impetus and expertise that led to the development of new Alaska seafood inspection regulations, has counseled the Alaska Seafood Marketing Institute technical committee on seafood quality since its creation in 1981, and led the development of the Hazard Analysis/Critical Control Point approach to seafood processing. The latter revolutionized seafood safety requirements, and when put in place in Alaska, became the model on which later federal regulations were constructed for seafood products nationwide. This same technical approach is now being applied not just to seafoods, but to meats and other products as well.

Roger also has been active on international trade issues of critical importance to the seafood industry. Among other things, he played a crucial role in obtaining agreement on a method of certifying seafood for the European Union market without resorting to the imposition of new user fees on the industry.

Finally, it must be noted that the respect in which Roger is been held by both the industry and by government regulators has been key to the successful negotiation of scientific and technical agreements between the industry and the Food and Drug Administration, to the maintenance of a strong working relationship between them, and to the federal agency's willingness to work cooperatively on even the most complex and technical issues of food handling and safety.

In no small way, both his industry and his country owe a debt of thanks to Roger DeCamp.●